

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2353

---

IN THE SENATE OF THE UNITED STATES

OCTOBER 18, 1995

Received; read twice and referred to the Committee on Veterans' Affairs

---

## AN ACT

To amend title 38, United States Code, to extend certain expiring authorities of the Department of Veterans Affairs relating to delivery of health and medical care, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. EXTENSION OF EXPIRING AUTHORITIES OF DE-**  
2 **PARTMENT OF VETERANS AFFAIRS.**

3 (a) HOSPITAL CARE AND MEDICAL SERVICES FOR  
4 PERSIAN GULF VETERANS EXPOSED TO TOXIC SUB-  
5 STANCES.—(1) Section 1710(e)(3) of title 38, United  
6 States Code, is amended by striking out “December 31,  
7 1995” and inserting in lieu thereof “December 31, 1998”.

8 (2) Section 1712(a)(1)(D) of such title is amended  
9 by striking out “December 31, 1995” and inserting in lieu  
10 thereof “December 31, 1998”.

11 (b) CONTRACT AUTHORITY FOR ALCOHOL AND DRUG  
12 ABUSE CARE.—Subsection (e) of section 1720A of such  
13 title is amended by striking out “December 31, 1995” and  
14 inserting in lieu thereof “December 31, 1997”.

15 (c) NURSING HOME CARE ALTERNATIVES.—(1) Sec-  
16 tion 1720C(a) of such title is amended by striking out  
17 “September 30, 1995” and inserting in lieu thereof “De-  
18 cember 31, 1997”.

19 (2) The Secretary of Veterans Affairs shall submit  
20 to Congress, not later than March 31, 1997, a report on  
21 the medical efficacy and cost effectiveness, and disadvan-  
22 tages and advantages, associated with the use by the Sec-  
23 retary of noninstitutional alternatives to nursing home  
24 care.

25 (d) HEALTH SCHOLARSHIPS PROGRAM.—(1) Section  
26 7618 of such title is amended by striking out “December

1 31, 1995” and inserting in lieu thereof “December 31,  
2 1997”.

3 (2)(A) The Secretary of Veterans Affairs shall submit  
4 to Congress, not later than March 31, 1997, a report set-  
5 ting forth the results of a study evaluating the operation  
6 of the health professional scholarship program under sub-  
7 chapter II of chapter 76 of title 38, United States Code.  
8 The study shall evaluate the efficacy of the program with  
9 respect to recruitment and retention of health care person-  
10 nel for the Department of Veterans Affairs and shall com-  
11 pare the costs and benefits of the program with the costs  
12 and benefits of alternative methods of ensuring adequate  
13 recruitment and retention of such personnel.

14 (B) The Secretary shall carry out the study under  
15 this paragraph through a private contractor. The report  
16 under subparagraph (A) shall include the report of the  
17 contractor and the comments, if any, of the Secretary on  
18 that report.

19 (e) ENHANCED-USE LEASES OF REAL PROPERTY.—  
20 (1) Section 8169 of such title is amended by striking out  
21 “December 31, 1995” and inserting in lieu thereof “De-  
22 cember 31, 1997”.

23 (2) The Secretary of Veterans Affairs shall submit  
24 to Congress, not later than March 31, 1997, a report eval-

uating the operation of the program under subchapter V of chapter 81 of title 38, United States Code.

(f) COMMUNITY-BASED RESIDENTIAL CARE FOR HOMELESS CHRONICALLY MENTALLY ILL VETERANS.—Section 115(d) of the Veterans’ Benefits and Services Act of 1988 (Public Law 100–322; 38 U.S.C. 1712 note) is amended by striking out “September 30, 1995” and inserting in lieu thereof “December 31, 1997”.

(g) DEMONSTRATION PROGRAM OF COMPENSATED WORK THERAPY AND THERAPEUTIC TRANSITIONAL HOUSING.—Section 7 of Public Law 102–54 (38 U.S.C. 1718 note) is amended—

(1) in subsection (a), by striking out “During fiscal years 1991 through 1995, the Secretary” and inserting in lieu thereof “The Secretary”; and

(2) by adding at the end the following:

“(m) SUNSET.—The authority for the demonstration program under this section expires on December 31, 1997.”.

(h) HOMELESS VETERANS PILOT PROGRAM.—The Homeless Veterans Comprehensive Service Programs Act of 1992 (Public Law 102–590) is amended as follows:

(1) Section 2(a) (38 U.S.C. 7721 note) is amended by striking out “September 30, 1995” and inserting in lieu thereof “December 31, 1998”.

1           (2) Section 3(a) (38 U.S.C. 7721 note) is  
2           amended by striking out “, during fiscal years 1993,  
3           1994, and 1995,”.

4           (3) Section 12 (38 U.S.C. 7721 note) is amend-  
5           ed by striking out “each of the fiscal years 1993,  
6           1994, and 1995” and inserting in lieu thereof “each  
7           fiscal year through 1998”.

8   **SEC. 2. REPORTS.**

9           (a) REPORT ON CONSOLIDATION OF CERTAIN PRO-  
10          GRAMS.—The Secretary of Veterans Affairs shall submit  
11          to Congress, not later than March 1, 1997, a report on  
12          the advantages and disadvantages of consolidating into  
13          one program the following three programs:

14               (1) The alcohol and drug abuse contract care  
15               program under section 1720A of title 38, United  
16               States Code.

17               (2) The program to provide community-based  
18               residential care to homeless chronically mentally ill  
19               veterans under section 115 of the Veterans’ Benefits  
20               and Services Act of 1988 (38 U.S.C. 1712 note).

21               (3) The demonstration program under section 7  
22               of Public Law 102–54 (38 U.S.C. 1718 note).

23           (b) REPORT ON SCIENTIFIC EVIDENCE CONCERNING  
24          HEALTH CONSEQUENCES OF MILITARY SERVICE IN PER-  
25          SIAN GULF WAR.—(1) The Secretary of Veterans Affairs

1 shall, in consultation with the National Academy of  
2 Sciences and with officials of other appropriate Federal  
3 departments and agencies, review the scientific evidence,  
4 and assess the strength of such evidence, concerning asso-  
5 ciation between military service in the Southwest Asia the-  
6 ater of operations during the Persian Gulf War and any  
7 disease that may be associated with such service.

8       (2) The Secretary shall, not later than March 1,  
9 1998, submit to the Committees on Veterans' Affairs of  
10 the Senate and the House of Representatives a report on  
11 the findings of the review and assessment under para-  
12 graph (1).

13 **SEC. 3. REPEAL OF AUTHORITY TO MAKE GRANTS TO VET-**  
14 **ERANS MEMORIAL MEDICAL CENTER IN THE**  
15 **PHILIPPINES.**

16       (a) REPEAL.—Section 1732 of title 38, United States  
17 Code, is amended—

18               (1) by striking out subsection (b);

19               (2) by redesignating subsection (c) as sub-  
20 section (b) and striking out “or grant” both places  
21 it appears in that subsection; and

22               (3) by redesignating subsection (d) as sub-  
23 section (c) and striking out “and to make grants”  
24 in that subsection.

1 (b) CLERICAL AMENDMENTS.—(1) The heading of  
2 such section is amended by striking out “**and grants**”.

3 (2) The item relating to such section in the table of  
4 sections at the beginning of chapter 17 of such title is  
5 amended by striking out “and grants”.

6 **SEC. 4. DISPLAY OF POW/MIA FLAG AT DEPARTMENT OF**  
7 **VETERANS AFFAIRS MEDICAL CENTERS.**

8 (a) DAILY DISPLAY OF FLAG.—Subsection (a) of sec-  
9 tion 1084 of the National Defense Authorization Act for  
10 Fiscal Years 1992 and 1993 (Public Law 102–190; 36  
11 U.S.C. 189 note) is amended—

12 (1) by striking out “and” at the end of para-  
13 graph (1);

14 (2) by striking out the period at the end of  
15 paragraph (2) and inserting in lieu thereof “; and”;  
16 and

17 (3) by adding at the end the following:

18 “(3) on, or on the grounds of, each Department  
19 of Veterans Affairs medical center (except as pro-  
20 vided in subsection (e)), on every day on which the  
21 flag of the United States is displayed.”.

22 (b) EXCEPTION FOR CERTAIN DEPARTMENT OF VET-  
23 ERANS AFFAIRS MEDICAL CENTERS.—Such section is fur-  
24 ther amended—

1           (1) by redesignating subsection (e) as sub-  
2           section (f); and

3           (2) by inserting after subsection (d) the follow-  
4           ing new subsection (e):

5           “(e) SPECIAL RULE FOR DISPLAY AT DEPARTMENT  
6 OF VETERANS AFFAIRS MEDICAL CENTERS.—(1) Upon  
7 a determination by the director of a Department of Veter-  
8 ans Affairs medical center that the daily display of the  
9 POW/MIA flag at that medical center may be detrimental  
10 to the treatment of patients at that center, the provisions  
11 of subsection (a)(3) shall be inapplicable with respect to  
12 that medical center.

13          “(2) Whenever the director of a Department of Veter-  
14 ans Affairs medical center makes a determination de-  
15 scribed in paragraph (1), that officer shall submit a report  
16 on such determination, including the basis for the deter-  
17 mination, to the Under Secretary for Health of the De-  
18 partment of Veterans Affairs.”.

19          (c) PROCUREMENT AND DISTRIBUTION OF FLAGS.—  
20 (1) Subsection (c) of such section is amended by striking  
21 out “Within 30 days after the date of the enactment of  
22 this Act, the Administrator” and inserting in lieu thereof  
23 “The Administrator”.

24          (2) The Administrator of General Services shall carry  
25 out subsection (c) of section 1084 of the National Defense



1 Authorization Act for Fiscal Years 1992 and 1993 (Public  
2 Law 102–190; 36 U.S.C. 189 note) with respect to the  
3 procurement and distribution of POW/MIA flags for the  
4 purposes of paragraph (3) of subsection (a) of such section  
5 (as added by subsection (a) of this section) within 30 days  
6 after the date of the enactment of this Act.

7 **SEC. 5. CONTRACTS FOR UTILITIES, AUDIE L. MURPHY ME-**  
8 **MORIAL HOSPITAL.**

9 (a) **AUTHORITY TO CONTRACT.**—Subject to sub-  
10 section (b), the Secretary of Veterans Affairs may enter  
11 into contracts for the provision of utilities (including  
12 steam and chilled water) to the Audie L. Murphy Memo-  
13 rial Hospital in San Antonio, Texas. Each such contract  
14 may—

- 15 (1) be for a period not to exceed 35 years;
- 16 (2) provide for the construction and operation  
17 of a production facility on or near property under  
18 the jurisdiction of the Secretary;
- 19 (3) require capital contributions by the parties  
20 involved for the construction of such a facility, such  
21 contribution to be in the form of cash, equipment,  
22 or other in-kind contribution; and
- 23 (4) provide for a predetermined formula to  
24 compute the cost of providing such utilities to the  
25 parties for the duration of the contract.

1 (b) FUNDS.—A contract may be entered into under  
2 subsection (a) only to the extent as provided for in ad-  
3 vance in appropriations Acts.

4 (c) ADDITIONAL TERMS.—The Secretary may include  
5 in a contract under subsection (a) such additional provi-  
6 sions as the Secretary considers necessary to secure the  
7 provision of utilities and to protect the interests of the  
8 United States.

9 **SEC. 6. NAME OF DEPARTMENT OF VETERANS AFFAIRS**

10 **MEDICAL CENTER, WALLA WALLA, WASHING-**  
11 **TON.**

12 The Department of Veterans Affairs Medical Center  
13 located at 77 Wainwright Drive, Walla Walla, Washing-  
14 ton, shall after the date of the enactment of this Act be  
15 known and designated as the “Jonathan M. Wainwright  
16 Department of Veterans Affairs Medical Center”. Any ref-  
17 erence to that medical center in any law, regulation, map,  
18 document, paper, or other record of the United States  
19 shall be considered to be a reference to the Jonathan M.  
20 Wainwright Department of Veterans Affairs Medical  
21 Center.

Passed the House of Representatives October 17,  
1995.

Attest:

ROBIN H. CARLE,  
*Clerk.*